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POCKET NO.: FCCC-0004 (99-01; WO/386)

**PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Irma H. Russo, et al.

Confirmation No.: 6024

Application No.: 09/868,196

Group Art Unit: 1642

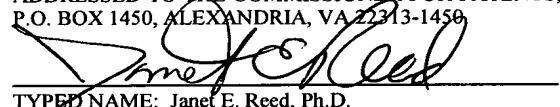
Filing Date: August 2, 2001

Examiner: Yu, Misook

For: hCG Therapy for the Treatment of Breast Cancer

DATE OF DEPOSIT: December 28, 2005

I HEREBY CERTIFY THAT THIS PAPER IS BEING
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TYPED NAME: Janet E. Reed, Ph.D.
REGISTRATION NO.: 36,252

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS PURSUANT TO 37 CFR § 1.192**

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **July 28, 2005** finally rejecting claims **45, 55-60, 63-65, 70-78 and 80** of the above-identified patent application.

The item(s) checked below are appropriate:

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as :

01/04/2006 BABRAHA1 00000073 09868196

01 FC:1401

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01/04/2006 BABRAHA1 00000073 09868196

02 FC:1252

450.00 OP

DOCKET NO.: FCCC-0004 (99-01; WO/386)

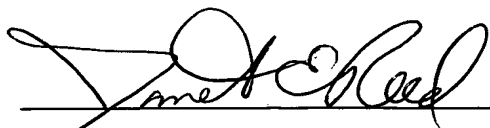
PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of **July 28, 2005** to and through **December 28, 2005** comprising an extension of the shortened statutory period of **two months**.

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$200	\$	\$500	\$500.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$60	\$	\$120	\$
<input checked="" type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$225	\$	\$450	\$450.00
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$510	\$	\$1020	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$795	\$	\$1590	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1080	\$	\$2160	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$)	minus	(\$)
TOTAL FEE DUE		\$0		\$950.00

- ☒ A check in the amount of **\$950.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.
- ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$.00 . This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. 23-3050. This sheet is provided in duplicate.

Date: December 28, 2005



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Registration No. 36,252

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